

REMARKS

Claims 1 and 4 have been canceled.

Applicant thanks the Examiner for indicating that claims 2, 3, 5 and 6 include allowable subject matter. Those claims have been rewritten in independent form to include the limitations of the claim(s) from which they depended.

Claims 2 and 5 also have been amended to correct the informalities noted by the Examiner in par. 1 at page 2 of the Office action.

Claims 1 and 4 were rejected as unpatentable over the cited references. In view of those claims having been canceled, the rejections are moot.

The claims were rejected under 35 U.S.C. § 112, par. 1, as allegedly failing to satisfy the enablement requirement. The Office action alleges that the disclosure fails to enable a person of ordinary skill how to evaluate the degree of satisfaction of a user.

The pending claims have been amended to clarify that evaluating a degree of satisfaction of a user is based on the response time. As discussed below, applicant submits that the claims clearly meet the requirements of section 112, par. 1.

Patent documents are written for persons of ordinary skill in the relevant field. Therefore, the applicant is not required to include in the specification information readily understood by such persons, "lest every patent be required to be written as a comprehensive tutorial and treatise for the generalist, instead of a concise statement for persons in the field." *Verve, LLC v. Crane Cams, Inc.*, 311 F.3d 1116 (Fed. Cir. 2002).

In the pending specification, there is ample discussion about determining the user's degree of satisfaction in view of the calculated "response time." (*See, e.g.*, page 4, line 13 – page 5, line 9; page 37, lines 1 – 19) A person of ordinary skill in the art would readily understand from the specification that the response time may be used as an indication of the user's satisfaction such that, for example, the longer the response time, the less satisfied the user is likely to be. Conversely, the shorter the response time, the more satisfied the user is likely to

Applicant : Yoshizou Honda
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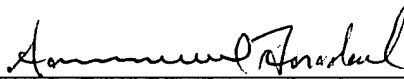
be. Thus, a person of ordinary skill would readily understand how to make and use the claimed subject matter. Accordingly, applicant respectfully requests reconsideration and withdrawal of the rejections under section 112, par. 1.

Applicant submits that the pending claims are in condition for allowance.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 6/22/04



Samuel Borodach
Reg. No. 38,388

Fish & Richardson P.C.
45 Rockefeller Plaza, Suite 2800
New York, New York 10111
Telephone: (212) 765-5070
Facsimile: (212) 258-2291